

DEPARTMENT OF PLANNING STAFF REPORT

PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: February 22, 2010
ZMOD 2004-0001, Loudoun Station Comprehensive Sign Plan - Phase I
DECISION DEADLINE: February 28, 2010

ELECTION DISTRICT: Dulles PROJECT PLANNER: Mike Elabarger

EXECUTIVE SUMMARY

Comstock Loudoun Station, L.C. of Reston, Virginia, has submitted an application for a special exception to modify the applicable provisions of Section 5-1204 of the Revised 1993 Zoning Ordinance to implement a Comprehensive Sign Package that proposes changes to the permitted number and size of signs. The property is being developed pursuant to ZMAP 2002-0005, Loudoun Station, in the Planned Development-Transit Related Center (PD-TRC) zoning district. The property is also located within the AI (Airport Impact) Overlay District, outside of but within one (1) mile of the Ldn 60 aircraft noise contour. The modification to the sign regulations applicable to a Planned Development District is authorized by special exception under Section 6-1511(B)(5) and is reviewed in accordance with Section 5-1202(E). The property is approximately 40 acres in size and is located on the southwest side of Shellhorn Road (Route 643), southeastward of Ashburn Village Boulevard (Route 772), northwestward of Loudoun County Parkway (Route 607), on the northeast side of the Dulles Greenway (Route 267) in the Dulles Election District.

The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Ashburn Community)) and the Toll Road Plan which designate this area for Keynote Employment and Business uses, and Transit-Oriented Development, and recommend residential development at densities up to 50 dwelling units per acre and non-residential development up to a Floor Area Ratio (FAR) of 2.0 at the Rail Phase.

Loudoun Station (ZMAP 2002-0005), a transit-oriented development (TOD), was approved by the Board of Supervisors on December 15, 2003 to allow a development intensity ranging between 1,081 and 1,514 multi-family dwelling units and 1,130,627 and 1,884,379 square feet of non-residential uses, to be developed in phases as alternative modes of transit become available to the site. The associated Proffer Statement, dated December 2, 2003, contains Proffer VII.C.1, which required that, with submission of the Final Development Plan (FIDP 2008-0001) for Loudoun Station - Phase 1 (which the Planning Commission approved on November

13, 2008), the applicant request a zoning modification (ZMOD) in order to provide uniform sign standards for the property.

This comprehensive sign plan application was first submitted in 2004, and staff provided referral comments. The applicant did not respond to these comments, and the application became inactive for over three years, until the applicant sought to re-activate the application in November, 2008. The application was revised and resubmitted, and, due to the time since the initial first referral review, a new and full review of the application was performed.

RECOMMENDATION

Staff maintains several outstanding issues with the application, some of which will preclude the applicant from achieving zoning permits under the current Zoning Ordinance for those noted signs. Beyond these issues, staff is supportive of the application, but recommends a work session to discuss these issues further.

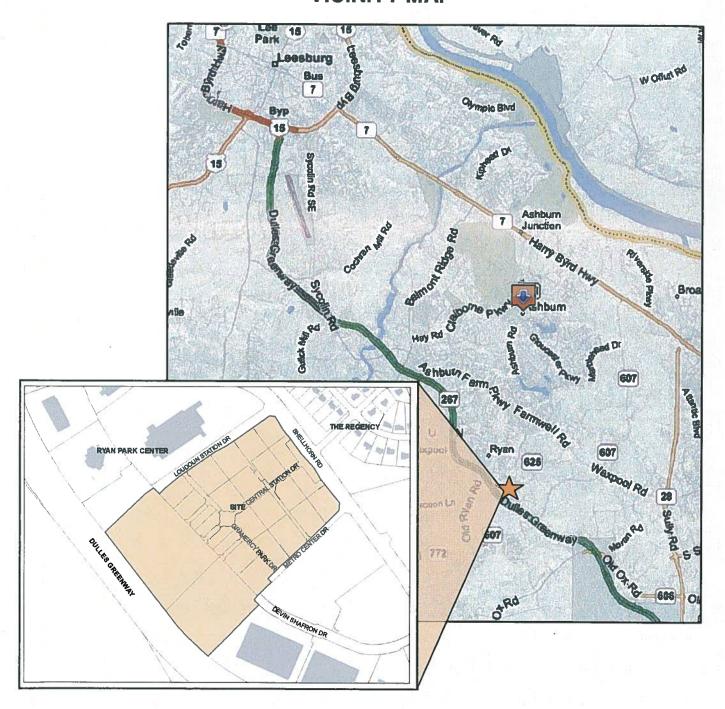
SUGGESTED MOTIONS

1. I move that the Planning Commission forward ZMOD 2004-0001, Loudoun Station Comprehensive Sign Package – Phase I, to a work session for further discussion.

OR,

2. I move an alternate motion.

VICINITY MAP



Directions: From Leesburg, take Harry Byrd Highway (Route 7) east for approximately six (6) miles to the intersection with Ashburn Village Boulevard. Proceed south on Ashburn Village Boulevard for approximately four and a half (4.5) miles to Shellhorn Road (Route 643). Turn left and proceed approximately one-half (0.5) mile, and property is on the west (right) side between Shellhorn Road and the Dulles Greenway highway.

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I. APPLICATION INFORMATION

APPLICANT:

Comstock Loudoun Station, L.C. Mr. Christopher Clemente, Manager Comstock Partners, LC, Manager

11465 Sunset Hills Road, Suite 510

Reston, VA 20190 (703) 883-1700

OWNER:

Comstock Loudoun Station, L.C.

Mr. Christopher Clemente, Manager Comstock Partners, LC, Manager

11465 Sunset Hills Road, Suite 510

Reston, VA 20190 (703) 883-1700

REPRESENTATIVES:

Walsh, Colucci, Lubeley, Emrich & Walsh, PC

Kimberlee Welsh Cummings, Esquire 1 East Market Street, 3rd Floor, Suite 300

Leesburg, VA 20176 (703) 737-3633

PROPOSAL:

A Zoning Modification for a Comprehensive Sign Plan for Loudoun

Station, a Transit-Oriented Development.

LOCATION:

Southwest of Shellhorn Road (Route 643), south of Ryan Road (Route

772) and northeast of the Dulles Greenway.

ADJACENT ROADS:

Shellhorn Road (Route 643), Dulles Greenway (Route 267), Devon

Shafron Drive.

TAX MAP/PARCEL:

See next page.

ZONING:

PD-TRC (Planned Development-Transit Related Center)

PROPOSED RESIDENTIAL UNITS:

N/A

PROPOSED NON-RESIDENTIAL FLOOR AREA:

N/A

SURROUNDING: **ZONING EXISTING LAND USE**

> NORTH CR-1 SOUTH

PD-TRC

PD-OP/PD-IP

Residential Vacant

Keynote Employment Keynote Employment

PLANNED LAND USE

Loudoun Station LLC

McLean, VA 22102

7747 Bridle Path Lane

EAST WEST PD-CC-SC/PD-OP Retail / Vacant

Data Center / Vacant

Keynote Employment **Business / High-Density**

Residential

ELECTION DISTRICT:

Dulles

TAX MAP NUMBER	PIN#	PARCEL ACREAGE
/79/P/1////1/	088-16-7575	0.90
/79/P/1////2/	089-46-8658	0.83
/79/P/1////3/	089-46-7548	0.77
/79/P/1////4/	089-46-6163	0.70
/79/P/2////1/	089-47-0533	0.96
/79/P/2////2/	089-47-1719	0.81
/79/P/2////3/	089-47-0508	0.14
/79/P/2////4/	089-46-9226	1.59
/79/P/3////1/	089-46-7413	0.35
/79/P/3////2/	089-46-8994	1.47
/79/P/3////3/	089-46-7684	1.26
/79/P/3////4/	089-46-6102	0.67
/79/P/4////1/	089-46-4753	0.87
/79/P/4////2/	089-46-5834	0.72
/79/P/4////3/	089-46-4224	0.93
/79/P/4////4/	089-46-2840	1.27
/79/P/5////1/	089-46-0327	0.83
/79/P/5////2/	089-46-1316	0.72
/79/P/6////1/	089-46-2408	0.35
/79/P/6////2/	089-46-2700	0.44
/79/P/7////1/	089-46-3894	0.38
/79/P/7/////2/	089-46-4287	0.41
/79/P/8////1/	089-46-5476	0.87
/79/P/8////2/	089-36-6561	1.06
/79/P/9////A/	089-46-9208	1.29
/79/P/9////B/	089-46-6740	0.44
/79/P/9////C/	089-46-5314	0.73
/79/P/9////D/	089-46-6583	0.53
/79/P/9////E/	089-46-2227	0.47
/79/P/9////F/	089-46-1809	0.17
/79/P/9////G/	089-46-4582	0.17
/79/P/9////H/	089-46-2993	0.17
/79///2////1/	089-36-2659	6.67
17911121111121	089-45-8208	10.17

II. SUMMARY OF DISCUSSION

Topic/Issue Area	Issues Examined and Status
Comprehensive Plan	 General Comments Commit to guideline specifics noted in the Sign Plan; RESOLVED – Condition of Approval #1. Provide more information regarding signage materials; RESOLVED – see Signs A1, B1, B2 in Sign Plan. Locate residential signage directly above entrances scaled for pedestrian rather than vehicular recognition; RESOLVED – signs F1 and F2 removed. Locate all proposed signage on the Signage Map; RESOLVED – see pages 7 & 8 of Sign Plan. Commit to lighting of signs only; RESOLVED – Condition of Approval #2. Commit to the proposed color palette and to a consistent color scheme throughout the project; RESOLVED – Condition of Approval #1. Remove the following signs:
	 A2, B5, C3, D3, E1, F3, and G5 from the Sign Plan; RESOLVED – see revised Sign Plan, sign B5 is by-right. Specific Sign Type comments: A1 - Reduce size and commit to compatibility of sign type A1 with the architectural features and elements of surrounding buildings; RESOLVED – see page 23 of Sign Plan. Reduce the number of primary entrance signs (A1) to two locations, one at the property's entrance from Shellhorn Road and other at the entrance to the site from transit; OUTSTANDING ISSUE – Proposed Condition #6 would address this; see page 13 and 19 of staff report. B1 - Reduce the size/number; remove location; consolidate with A1 and B2 (redundancy); OUTSTANDING ISSUE – see page 13 and 20 of staff report.
	 B2 - Reduce the number; RESOLVED – see page 24 of Sign Plan. B3 - Reduce the number; RESOLVED – see page 26 of Sign Plan.
	 B4 - Reduce the number; RESOLVED - see page 27 of Sign Plan. C1 - Reduce the number; RESOLVED - see page 31 of Sign Plan. C1-1 - Reduce to one/façade, limit signage to identification of buildings only; RESOLVED - see page 33 of Sign Plan. C-2 - Commit to removing when parking structures are constructed;
	 RESOLVED – see page 35 of Sign Plan. D1 – consolidate with C1-1 & F1, reduce number per façade, and limit signage to identification of buildings only; RESOLVED – removed from Sign Plan. F1 & F2 – Consolidate with D1 & F1 and reduce the number; RESOLVED – removed from Sign Plan. G1/G2/G3/G4 – Reduce total number and consolidate information; OUTSTANDING ISSUE - see page 10, 14, and 21 of staff report.

Zoning

- B1 Max. number of signs on pages 15 and 23 don't correspond to map.
 RESOLVED see page 15 of Sign Plan.
- Remove several of the noted vehicular entrances on pages 4, 7, & 8;
 OUTSTANDING ISSUE, see pages 13 and 16 of staff report.
- A1 remove on page 8, not vehicular entrances; OUTSTANDING ISSUE, see 13 and 17 of staff report.
- A1 & B2 remove reference to tenant identification in italic description under heading; RESOLVED – see pages 24 & 25 of Sign Plan.
- B2 Remove Note: regarding an F3 sign at intersection of Shellhorn Rd. and Metro Center Drive – it is not permitted (not a vehicular entrance);
 OUTSTANDING ISSUE, see 13 and 17 of staff report.
- B3 remove "Loudoun Station" as it is advertising; OUTSTANDING ISSUE, see pages 13 and 17 of staff report.
- B4 & B-5 Signs cannot be modified, cannot be visible from public roads:
 RESOLVED signs removed from Sign Plan matrix, noted on pages 27 & 28.
- B6 Remove "Loudoun Station" which is advertising; OUTSTANDING ISSUE, see pages 13 and 18 of staff report.
- B6 Under Sign Colors, revise 'owner's' to 'developer's'; RESOLVED, see page 29 of Sign Plan.
- B7 Under Additional Requirements, remove 'tenant text'; RESOLVED, see page 30 of Sign Plan.
- B7 Under Sign Colors, revise 'owner's' to 'developer's'; RESOLVED, see page 30 of Sign Plan.
- C1-1 add reference to Section 5-1204(D)(3)(dd) in matrix; RESOLVED, see page 19 of Sign Plan.
- C1-1, C1-2 Two-sided signs count as two signs; RESOLVED the <u>Revised</u> <u>1993 Zoning Ordinance</u> counts a two-sided sign as one sign.
- C1-1 Revise, only 2 signs permitted per modification; RESOLVED, see page 33 of Sign Plan.
- C1A Add reference to Section 5-1204(D)(3)(dd); RESOLVED, see page 18 of Sign Plan.
- F3 Remove Note: on page 36, this sign is not permitted at intersection of Shellhorn Road and Metro Center Drive (not a vehicular entrance);
 OUTSTANDING ISSUE, see page 13 and 17 of staff report.
- F3 Remove dogwood symbol and Loudoun Station text; OUTSTANDING ISSUE, see 13 and 18 of staff report.
- G1/G2/G3/G4 100% leasing rarely occurs; RESOLVED see Condition #5, removal within 30 days of 95% leasing.

Policy or Ordinance Sections Subject to Application
Revised General Plan
Chapter 1, Relationship to Other County Planning Documents Text
Chapter 5, Lighting and Night Sky Policy 1
Chapter 6, Transit-Oriented Development text
Chapter 6, General Business Land Use Policy 3b
Chapter 6, Transit Node Policy 7 and Transit-Oriented Development Policy 11
Chapter 7, Planned Land Use Map
Countywide Retail Plan Amendment (Retail Plan)
- Design Guidelines, Signs and Lighting Policy 1
- Signs and Lighting Policy 2
- Design Guidelines, Building Placement and Design Policy 3
Countywide Transportation Plan (CTP)
Toll Road Plan (TRP)
Revised 1993 Zoning Ordinance
Section 5-1204 (D)(1)(c) – Residential/Agriculture Signs/Non PD-H Residential Communities – Entrance Signs
Section 5-1204 (D)(3)(c) – Commercial/Office Signs/PD-CC(CC) Planned Development Community Center – Entrance Signs and Entrance Signs for Commercial Developments inPD-TRC.
Section 5-1204 (D)(3)(d) – Commercial/Office Signs/PD-CC(CC) Planned Development Community Center – Tenant Signs and Tenant Signs for Businesses in PD-TRC.
Section 5-1204 (D)(3)(dd) - Commercial/Office Signs/Restaurant (In-line Structure)
Section 5-1204 (D)(6)(a) - Real Estate Signs/Real Estate - Residential For Sale Sign
Section 5-1204 (D)(6)(c) – Real Estate Signs/Real Estate – Commercial For Sale Sign
Section 5-1204 (D)(7)(f) – Miscellaneous SignsPD-TRCDevelopment Entrance Signs
Section 5-1204 (D)(7)(h) - Miscellaneous Signs - Directional Signs, On-site

III. CONCLUSIONS

- 1. The application satisfies the public purpose to a degree that exceeds the Ordinance requirements, per Section 5-1202(E)(1).
- 2. The application provides uniform standards for signage that are well-defined, coordinated, and easily identifiable for pedestrians and vehicles and other modes of transportation from the adjacent roadways and transit access points.
- 3. The application reinforces the classic main street image while providing for safe and efficient movement of traffic and pedestrians.
- 4. There are several signs that, as proposed and according to the Zoning Ordinance at this time, would not be issued zoning permits for their installation.
- 5. There are opportunities to combine information and reduce the number of signs in some locations, as noted in the staff report.

IV. CONDITIONS OF APPROVAL (Draft, January 29, 2010)

Should the Commission wish to take action on the application, the following Conditions of Approval are recommended, as noted; they are currently under review by the County Attorney, and an update of that review will be provided at the public hearing.

- 1. <u>Substantial Conformance</u> Sign materials, colors, size, height, location, number, and lighting shall be provided in substantial conformance with the Loudoun Station Comprehensive Sign Plan-Phase I, dated December 29, 2009. Approval of this application does not relieve the Property of any Zoning Ordinance, Codified Ordinance, or any other requirement. In the event of a conflict between the approved Comprehensive Sign Plan and the Zoning Ordinance, the provisions of the Zoning Ordinance shall supersede the approved Comprehensive Sign Plan. As used in these conditions, "Applicant" includes the owner of the Property subject to this Zoning Modification approval, its successors, and parties developing, establishing or operating the approved zoning modification.
- 2. <u>Lighting</u> No animation, neon, or moving lights shall be permitted. Signs shall be backlit and shall contain no exposed lighting elements. No sign illumination shall spill upward or reflect or cast glare onto adjacent properties or roadways.
- 3. Zoning Permits No sign shall be erected without first obtaining a zoning permit.
- 4. Additional Signs Additional signage for those sign types included in the Sign Plan may be permitted by the Zoning Administrator provided (i) such signage is consistent with the design standards of the Sign Plan and these conditions, and (ii) the approval of such signage would not increase either the total aggregate sign area or the total aggregate number of signs permitted by the Sign Plan by more than five percent, and would not increase the maximum area of any one sign type permitted by the Sign Plan by more than five percent.
- 5. Removal of Leasing Signs (Signs G1, G2, G3, and G4) -
 - A. <u>Signs G1, G2, and G4</u> Once all non-residential space within the property is either 95 percent leased or sold, both initially and on a recurring basis as non-residential space again becomes available for lease or sale, all non-residential real estate and marketing signs shall be removed from the property within 30 days following the execution of the lease or sale of all non-residential space within the property.
 - B. <u>Sign G3</u> Once all residential space within the property is either 95 percent leased or sold, both initially and on a recurring basis as residential space again becomes available for lease or sale, all residential real estate and marketing signs shall be removed from the property within 30 days following the execution of the lease or sale of all residential space within the property.
- 6. <u>A1 Sign Maximum Number</u> There shall be no more than two (2) A1 Project Icon Signage signs on the property at any one time, in the locations shown on the Overall Signage Map.

 * Should the proposed A1 Sign shown on page 8 of the Sign Plan be removed from the Sign Plan, this condition should be removed.

7. <u>B1 Signs near Dulles Greenway</u> – The two (2) B1 Community Commercial Icon Signage shall only be installed at the time that the Metro transit station serving Loudoun Station is in operation and serving pedestrians.

* Should the proposed B1 Signs adjacent the Greenway be removed from the Sign Plan, as noted in Outstanding Issue 1.c., this condition should be removed.

V. PROJECT REVIEW

A. Context

Loudoun Station is an approximately 40-acre Transit Oriented Development ("TOD") consisting of a mix of multi-family residential, retail, office and hotel uses adjacent to the Route 772 future rail station on the Dulles Greenway. The property is located on the southwest side of Shellhorn Road (Route 643) between Ryan Road (Route 772) and Loudoun County Parkway (Route 607), and adjacent to the future rail station that will be in the center of the Dulles Greenway and connect to the property.

The requested Zoning Ordinance Modification (ZMOD) by Comstock Loudoun L.C. is per Section 5-1202(E)(1) of the <u>Revised 1993 Loudoun Zoning Ordinance</u>, pursuant to Section 6-1511(B), to modify the sign regulations for Planned Development districts subsequent to a rezoning, in order to increase the number and size of signs on the property. The property will be developed pursuant to ZMAP 2002-0005, which was approved by the Board of Supervisors on December 15, 2003, and Proffer VII.C.1 of the approved Proffer Statement dated November 3, 2003 (and Letter of Clarification dated December 9, 2003) requires the applicant to request this sign package in order to provide uniform sign standards for the property; see the Zoning section of this staff report.

Loudoun Station is proffered to have three phases of development: Phase 1 is to be developed with non-residential and multi-family residential uses prior to bus services, with surface parking lots on the exterior flanking buildings along the spine corridor that runs between Shellhorn Road and the future transit station platform at the Dulles Greenway; Phases 2 and 3 will develop Loudoun Station more intensely as it is initially served by bus services and ultimately rail services and facilities, with structured parking and additional residential development in place of the surface parking.

As noted on page 11 of the Sign Plan, enforcement of the proposed Sign Plan is subject to the "Loudoun Station Loudoun County, Virginia Design Guidelines and Standards", dated October 24, 2003, and will further require review and approval by the Loudoun Station Design Review Board, per the Master Declaration for Loudoun Station recorded among the land records of Loudoun County, Virginia.

Proposed Sign Plan / Signage

The proposed Comprehensive Sign Plan clearly and concisely describes the requested signage and associated background and explanatory materials in a very orderly manner. Analysis of the outstanding issues that staff has with the application (summarized in Section V.B. and then further explored in Section V.C. of this report) provide sufficient detail, but no parts or images will be

duplicated in this staff report. Rather, the Sign Plan should be used side-by-side with this staff report and referenced.

The sign plan has five main components:

- 1. <u>Pages 3-9</u> Vicinity, parcel, and sign location maps;
- 2. <u>Pages 10-14</u> A Glossary and Signage Design Standards and Guidelines (materials, colors, typography, illumination, location and landscaping);
- 3. <u>Pages 15-22</u> Comparison matrix of the pertinent <u>Zoning Ordinance</u> section (left column) and all proposed signs (right column);
- 4. <u>Pages 23-40</u> One-page description summaries of each sign type, each with multiple illustrative and guideline specifications; and
- 5. <u>Pages 41-49</u> A series of appendices, including options, certain provisions, and planned lighting of signs.

Through Condition of Approval #1, the applicant is committed to developing the proposed signage in substantial conformance with these details and standards, as described within the plan.

The proposed signage consists of sixteen (16) specific sign types or categories, each of which is given a Sign Type moniker:

A1	Project Icon Signage	- development entrance sign
B1	Community Commercial Icon Signage	- development entrance sign
B2	Sector Commercial Icon Signage	- development entrance sign
В3	Building Mounted Commercial Wayfinding Signage	- business tenant sign
B6	Bike/Bus/Rail Directional Sign	- directional signs
B7	Pedestrian Informational Sign	- informational sign
C1	In-line Business Tenant Signage	- business tenant sign
C1A	Corner Business Tenant Signage	- business tenant sign
C1-1	Anchor Business Tenant Signage	- business tenant sign
C1-2	Second Floor In-line Business Tenant Signage	- business tenant sign
C2	Business Tenant Rear Wayfinding Signage	- business tenant sign
F3	Residential Icon Signage	- business tenant sign
G1	General Site Leasing Signage	- sale/leasing sign
G2	Commercial Site Leasing Signage	- sale/leasing sign
G3	Residential Leasing Signage	- sale/leasing sign
G4	Office Leasing Signage	- sale/leasing sign

Note: Sign B4 - Pole Mounted Commercial Wayfinding Signage, and Sign B5 - Pole Mounted Special Event Signage, are "by-right" signs and therefore are not noted in the matrix, but are described on pages 27 and 28 of the sign plan because they will be developed with all the other signage that does exceed the Ordinance.

¹ Both have included the note that they will not be visible from public roads, pursuant to Section 5-1202(A)(3).

B. <u>Summary of Outstanding Issues</u>

There are six (6) outstanding issues that are recommended for further review or discussion by the Planning Commission:

- 1. <u>Definition of "Vehicular Entrances" per Sections 5-1204(D)(3)(c), 5-1204(D)(1)(c), and 5-1204(D)(7)(f)</u> The applicant is proposing several types of signs that Staff asserts cannot be in those locations because they are not 'vehicular entrances" to the development. The proposed locations for these signs are intersections of two roads that will run through or flank Loudoun Station, and are not deemed to be vehicular entrances <u>into</u> the property the intersection of these roads occurs outside the boundary of the properties subject to this application.
 - a. <u>Development entrance arrows</u> Page 4 of the Sign Plan, Site Circulation and Access Map: Remove the two (2) green arrows showing ingress from Shellhorn Road onto both Loudoun Station Drive and Metro Center Drive; remove the arrow showing ingress from Staunton Hill Drive onto Central Station Drive these locations are not vehicular entrances into the property.
 - b. <u>B1 & B2 Signs at Development entrances</u> Pages 7 & 8 of Sign Plan, Overall Signage Map: Remove the B1 sign at the intersection of Shellhorn Road and Loudoun Station Drive, and the B2 sign at the intersection of Shellhorn Road and Metro Center Drive, from these locations on the map these are not vehicular entrances into the property.
 - c. <u>B1 Signs at Staunton Hill Drive</u> Page 8 of Sign Plan, Overall Signage Map: Staff questions the necessity of B1 sign at a kiss-and-ride drop-off/pick-up and a bus stop station.
 - d. <u>F3 sign at development entrances</u> Page 7 of Sign Plan, Overall Signage Map: Remove the F3 sign at the intersection of Shellhorn Road and Metro Center Drive from this location on the map it is not a vehicular entrance <u>into</u> the property.
 - e. Remove A-1 Signs near Dulles Greenway Page 8, Overall Signage Map: Remove the A1 sign locations near the Dulles Greenway (and future Metro station landing point) from the map these are not vehicular entrances into the property.
 - f. <u>F3 Signs Note regarding B2 sign</u> Page 36 of Sign Plan, F3 Residential Icon Signage: Remove or revise note, an F3 sign is not permitted at this location (intersection of Shellhorn Road and Metro Center Drive), it is not a vehicular entrance <u>into</u> the property.
- 2. Remove the text "Loudoun Station" and dogwood symbol it is advertising.
 - a. <u>B3 Signs Business Tenant Signs</u> Remove the text "Loudoun Station".
 - b. <u>B6 Signs Bike/Bus/Rail Directional Signs</u> Remove the text "Loudoun Station".
 - c. F3 Signs Symbol and Text Remove dogwood symbol, "Loudoun Station" text.

- 3. <u>Sign A1 Total Number</u> Revise and propose two (2) maximum in any of the locations identified by the applicant.
- 4. Sign B1 Community Commercial Icon Signage
 - a. <u>Location</u> Revise and propose withholding development of the two (2) proposed signs adjacent the Greenway until the Metro station is operating; see Condition #7.
 - b. Scale Reduce the size to that more similar to proposed sign type B2.
- 5. <u>B2 Sector Commercial Icon Signage</u> The five (5) B2 signs and the (1) B1 along Loudoun Station Drive and Metro Center Drive reduce and propose four (4) maximum Commercial Icon Signs, in any location shown on the page 7 Signage Map, at either of the B1 or B2 specifications.
- 6. <u>G1/G2/G3/G4 General/Commercial/Office/Residential</u> Revise and propose a maximum of two (2) G1 General Leasing Information signs, one each in the northern and southern locations as shown on page 9 of the Sign Plan.

C. Overall Analysis

At the time of the review of the application, the provisions of the <u>Revised 1993 Zoning Ordinance</u> in place have created several outstanding issues. If in the future, should the Ordinance change and allow that which is in the proposed sign plan, approval of the application as it is being proposed would then allow the applicant to pursue such signs. The applicant has provided the following text on page 11 of the Sign Plan, under **General Provisions**, to cover such a scenario, as well as the possibility of utilizing the already permitted sign standards in place at the time of approval, should the application be approved:

Unless modified by this Comprehensive Sign Plan, Section 5-1204(D) of the Revised 1993 Zoning Ordinance shall apply to signs at Loudoun Station, including any additional sign types added through an amendment to the Zoning Ordinance.

Zoning

As previously noted, Proffer VII.C.1 of the approved Proffer Statement required that, with submission of the Final Development Plan (FIDP 2008-0001) for Loudoun Station - Phase 1 (which the Planning Commission approved on November 13, 2008), the applicant was required to request a comprehensive sign package in order to provide uniform sign standards for the property; see box below. This zoning modification (ZMOD) application was first submitted in 2004, but the applicant chose to wait until the FIDP approval to move forward with this application to the Planning Commission and Board of Supervisors for their review.

Proffer VII.C.1, approved Proffer Statement dated December 2, 2003.

VII. BUILDING AND SITE DESIGN GUIDELINES C. SIGNAGE AND LIGHTING

1. Comprehensive Sign Plan: At the time of submission of the first FDP for Phase 1, the Applicant shall submit for County review and approval a "Comprehensive Sign Plan" that will define the uniform standards for providing signage within the Subject Property. At a minimum, the signage plan shall include: (i) a proposed design for the main entry signs; (ii) a design for informational or directional signage for areas shown on each Site Plan, if any is proposed; (iii) design standards for individual commercial business signs and residential structures. The Applicant will conform to all submission requirements for a Comprehensive Sign Plan, as defined in the Zoning Ordinance.

Proposed vs. Permitted Signage

The Comparison Matrix on pages 15 through 22 of the attached Sign Plan does a more than adequate job of providing a side-by-side evaluation of the Ordinance maximum standards next to the proposed standards requested by the applicant. Only in instances of an outstanding issue will that data be provided here, for analysis and discussion purposes.

Zoning Administration Review

Through three written referrals and several meetings with the applicant, the following signs had all comments resolved and requested revisions made, and are fully endorsed by Zoning Administration staff:

B3	Building Mounted Commercial Wayfinding Signage	- business tenant sign
B7	Pedestrian Informational Sign	- informational signs
C1	In-line Business Tenant Signage	- business tenant sign
C1A	Corner Business Tenant Signage	- business tenant sign
C1-1	Anchor Business Tenant Signage	- business tenant sign
C1-2	Second Floor In-line Business Tenant Signage	- business tenant sign
C2	Business Tenant Rear Wayfinding Signage	- business tenant sign
G1	General Site Leasing Signage	- sale/leasing sign
G2	Commercial Site Leasing Signage	- sale/leasing sign
G3	Residential Leasing Signage	- sale/leasing sign
G4	Office Leasing Signage	- sale/leasing sign

The individual detail sheets of each of the above signs can be found on pages 26, 30-35, and 37-40 of the Sign Plan.

Section 6-1504 of the Ordinance considers modifications to Planned Development (PD) districts, and states that "no modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation." Overall, the proposed signage is innovative and attractive, but in some cases physical size (non-pedestrian scale) or the cumulative content of several signs in one location are found to be excessive.

Outstanding Issues

The applicant is in disagreement with the following Staff comments, as noted:

1. Definition of "Vehicular Entrances" per Sections 5-1204(D)(3)(c) and 5-1204(D)(1)(c)

The applicant is proposing several types of signs that Staff asserts cannot be in those locations because they are not located at 'vehicular entrances" to the property/development. Loudoun Station Drive and Metro Center Drive are not on the property, and therefore, the intersections with Shellhorn Road are not vehicular entrances into the property. Staunton Hill Drive is not on the property, and does not appear to provide vehicular access into the property at the terminus of Central Station Drive; this area is for the arrival of pedestrians from the transit station, and is not a vehicular entrance.

 The B1 sign at Shellhorn Road and Loudoun Station Drive, and the B2 sign at Shellhorn Road and Metro Center Drive, seek to modify Section 5-1204(D)(3)(c), which are "Planned Development Community Center - ENTRANCE signs and ENTRANCE signs for Commercial Developments". The intersections of these roads are not entrances into the property.

- The F3 sign at Shellhorn Road and Metro Center Drive seeks to modify Section 5-1204(D)(1)(c), which is "Non PD-H Residential Communities - ENTRANCE signs". The intersection of these roads is not a vehicular entrance into the property.
- The A1 signs along Central Station Drive, near Staunton Hill Drive (and near the Dulles Greenway) seek to modify Section 5-1204(D)(7)(f), which is "Miscellaneous Signs-(PD-TRC) Development ENTRANCE Signs". The intersection of these roads is not a vehicular entrance into the property.
- a. <u>Development entrance arrows</u> Page 4 of the Sign Plan, Site Circulation and Access Map: The green arrows at the intersections of Shellhorn Road and Metro Center Drive, Shellhorn Road and Loudoun Station Drive, and Staunton Hill Drive and Central Station Drive, are intersections along two roads and are not considered vehicular entrances into the development of Loudoun Station. These arrows should be removed.
- b. <u>B1 and B2 Signs at development entrances</u> Pages 7 & 8 of Sign Plan, Overall Signage Map: The B1 and B2 signs located at the intersections of Shellhorn Road and Metro Center Drive, and Shellhorn Road and Loudoun Station Drive, are not at vehicular entrances to the development; these proposed sign locations need to be removed from these locations on the map.
- c. <u>B1 Signs at Staunton Hill Drive</u> Page 8 of Sign Plan, Overall Signage Map: Staff questions the necessity of a development entrance sign, showing "Loudoun Station" and a variety of tenants, at a kiss-and-ride drop-off/pick-up and a bus stop station, which are designated locations for aiding persons in their multi-modal commutes. Users are there to access transit, and it's assumed they would know they are at Loudoun Station and the Metro station, and not a 20'6" sign to alert them of such.
- d. <u>F3 sign at development entrances</u> Page 7 of Sign Plan, Overall Signage Map: The F3 sign located at the intersection of Shellhorn Road and Metro Center Drive is not at a vehicular entrance to the property/development, and cannot be located there and should be removed from this location on the map.
- e. Remove A1 Signs at Vehicular Entrance Page 8, Overall Signage Map: The A1 sign at either location on this map are not at a vehicular entrance and need to be removed from this location on the map. The Metro-rail cars will not be entering the property/development and so it does not constitute a vehicular entrance.
- f. <u>F3 Signs Note regarding B2 sign</u> Page 36 of Sign Plan, F3 Residential Icon Signage: An F3 sign is not permitted at the intersection of Shellhorn Road and Metro Center Drive (not a vehicular entrance). The note regarding a B2 sign at this location should be removed or revised.

With all the issues above – 1.a, 1.b, 1.c, 1.d, 1.e, 1.f – the Applicant disagrees and believes these are "entrances" and the proposed signs are permitted at those locations. Specific to issue 1.e (A1 signs on page 8 of Sign Plan), the applicant further notes that pedestrians from the Metro-rail cars will be entering Loudoun Station at this location, and that there is a Kiss and Ride lot and bus service in this vicinity, and is thus an "entrance".

RECOMMENDATION: Zoning Administration has concluded that vehicular entrances are where vehicles enter into the property/development, and not at all the locations indicated by the applicant. A sign permit will not be issued by Building and Development for the proposed signs at these non-vehicular entrance locations.

2. Remove the text "Loudoun Station" – it is advertising.

- a. <u>B3 Signs Business Tenant Signs</u> Remove the text "Loudoun Station" from this sign.
- b. <u>B6 Signs Bike/Bus/Rail Directional Signs</u> Remove the text "Loudoun Station".
- c. <u>F3 Signs –Symbol and Text</u> Remove dogwood symbol and "Loudoun Station", which are both advertising.

The Applicant disagrees with removing Loudoun Station, and the dogwood symbol in sign F3, from these signs, as Loudoun Station is the name of the development and is not advertising.

RECOMMENDATION: Zoning Administration has concluded that the text "Loudoun Station" and the dogwood symbol are advertising; a sign permit will not be issued by Building and Development due to this.

Comprehensive Plan

The property is located in the Ashburn Community of the Suburban Policy Area and is specifically governed by the <u>Revised General Plan</u> (RGP) and <u>Revised Countywide Transportation Plan</u> (CTP) as adopted July 23, 2001, the <u>Countywide Retail Plan</u> (Retail Plan), as well as the <u>Toll Road Plan</u> (TRP)². The <u>RGP</u> identifies the subject site as suitable for Keynote Employment uses. Providing a unified and cohesive set of sign standards is consistent with Plan policies.

Comprehensive Planning Review

Through two written referrals and several meetings with the applicant, the following signs had all comments resolved and requested revisions made, and are fully endorsed by Community Planning staff:

B 3	Building Mounted Commercial Wayfinding Signage	- business tenant sign
B6	Bike/Bus/Rail Directional Sign	- directional signs
B 7	Pedestrian Informational Sign	- informational signs
C1	In-line Business Tenant Signage	- business tenant sign
C1A	Corner Business Tenant Signage	- business tenant sign
C1-1	Anchor Business Tenant Signage	- business tenant sign
C1-2	Second Floor In-line Business Tenant Signage	- business tenant sign
C2	Business Tenant Rear Wayfinding Signage	- business tenant sign
F3	Residential Icon Signage	- business tenant sign

² Being the newer of the two plans, the <u>RGP</u> supersedes the TRP when there is a policy conflict between the two (<u>Revised General Plan</u>, Chapter 1, Relationship to Other County Planning Documents Text).

The individual detail sheets of each of the above signs can be found on pages 26 and 29-36 of the Sign Plan.

Outstanding Issues

The applicant is in disagreement with the following Staff comments, as noted (the numbering sequence continues that began under the Zoning review):

3. A1 - Project Icon Signage - Section 5-1204(D)(7)(f)

The applicant is proposing three (3) of this particular sign type with the dimensions noted below.

Regulation	Ordinance	Proposed	Difference	+/-%
Max. # of Signs	2 / vehicle entrance	3 total; 1 / entrance	- 11 *	- 79%
Max. Area Any One Sign	60 SF	138 SF	+ 88 SF	+ 130%
Max. Height	5'	21'10"	+ 16'10"	+ 340%
Max. Height – background structure	5'	26'	+ 21'	+ 420%

^{* -} Based on Page 4 of the Sign Plan, the Site Circulation and Access Map, Loudoun Station appears to have 7 vehicular entrances; therefore, the Ordinance would allow up to 14 total signs, two at each of these entrances, subject to the standards above. The applicant proposes one sign at each of three identified locations.

These signs would span the internal 'spine' roadway (Central Station Drive) at a height permitting vehicles to pass underneath them. Four (4) locations are proposed: one at the terminus with Shellhorn Road; one at the terminus of development for proposed Phase I; and then one at <u>either of two</u> locations in the still-to-be-planned area closest to the Dulles Greenway and future transit station. Only the location at Shellhorn Road is actually a vehicular entrance—the other two locations are not—this is noted in the Zoning section in Outstanding Issue #1(e).

The zoning issue notwithstanding, Staff requested that the applicant limit the number of this sign type to two - one at the Shellhorn Road entrance and the other at the entrance to the site from the future transit station.

The applicant has stated that due to the size and development of Loudoun Station, there are three locations proposed for the A1 sign - (i) one at the primary entrance from Shellhorn Road, (ii) another at the southern terminus of Phase I of the development and just north of the civic plaza, and; (iii) at the entrance to Loudoun Station from the future rail station.

RECOMMENDATION: Revise and propose that there will be no more than two (2) A-1 signs at any one time on the property, including when Loudoun Station is built-out. This would provide the applicant the flexibility to "cap" both ends of Central Station Drive at the first phase of development with these signs. When further development occurs on the property, the applicant could relocate one or both of the 2 signs (at their discretion) when the transit station is active and pedestrians are accessing Loudoun Station via the Metro train system, in any two (2) of the four (4) locations shown on the Overall Signage Map. Condition of

Approval #6 has been provided in Section IV. of this staff report to commit the applicant to this limit.

4. B1 – Community Commercial Icon Signage – Section 5-1204(D)(3)(c)

The applicant is proposing three (3) of this particular sign type with the dimensions noted below.

Regulation	Ordinance	Proposed	Difference	+/-%
Max. # of Signs	1 / vehicular entrance, no more than 3	3 (1 per identified location)		<u>-</u>
Total Aggregate Sign Area	60 SF	840 SF	+ 780 SF	+ 1300%
Max. Area Any One Sign	30 SF	280 SF	+ 250 SF	+ 830%
Max. Sign Height	15'	17'3"	+ 2'3"	+ 15%
Max. Area – Background Structure	45 SF	352 SF	+ 307 SF	+ 682%
Max. Height – Background Structure	8'	20'6"	+ 12'6"	+ 156%

A transit-oriented development (TOD) should have signage at a pedestrian scale, to balance the featured streetscapes, buildings, and landscapes. The proposed dimensions of this sign are clearly auto-oriented (see page 24 of Sign Plan for illustrative comparison to person), and not in keeping with the pedestrian scale of a walkable environment. Without being in view of pedestrians aboard the Metro trains, and facing away from Loudoun Station, the two signs adjacent the Greenway are exclusively auto-oriented during Phase 1, and contrary to the intent of serving pedestrians.

The applicant states that the B1 and B2 signs along Shellhorn Road, Loudoun Station Drive and Metro Center Drive, and the Greenway are meant to provide information to vehicles, and thus require the number and size of the signs as proposed.

Staff has the following issues, and recommendations:

a. <u>Scale and Height</u> – The size is not to a pedestrian scale, which is a primary element of a transit-oriented development (TOD).

RECOMMENDATION: Reduce the size of the B1 sign adjacent to Shellhorn Road to be more consistent with the scale of the B2 signs; exact dimensions should be discussed.

 b. <u>Location facing Greenway</u> – The two B1 signs adjacent to the Dulles Greenway are not pedestrian-oriented, as, during the Phase I development, they are meant to attract vehicles travelling along the Greenway.

RECOMMENDATION: It is suggested (see Condition of Approval #7) that the two (2) B1 signs adjacent to the Greenway, at their proposed size, not be installed until the Metro station is open and pedestrians can view the signs from the Metro-rail cars prior to entering Loudoun Station from the transit station.

5. <u>B2 - Sector Commercial Icon Signage</u> - Section 5-1204(D)(3)(c)

The applicant is proposing five (5) of this particular sign type with the dimensions noted below.

Regulation	Ordinance	Proposed	Difference	+/-%
Max. # of Signs	1 / vehicular entrance, no more than 3	5 (1 per identified location)	+ 2	+ 67%
Total Aggregate Sign Area	60 SF	140 SF	+ 80 SF	+ 130%
Max. Area Any One Sign	30 SF	28 SF	- 2 SF	- 6%
Max. Sign Height	15'	8'2"	- 6'10"	- 46%
Max. Area – Background Structure	45 SF	33 SF	- 12 SF	- 26%
Max. Height – Background Structure	8'	9'5"	+ 1'5"	+ 18%

Staff requested that the combined total of the B1 and B2 be reduced to four (4), at the applicant's choice of locations that these signs are currently identified at on the Signage Map. The applicant revised to the currently proposed numbers (3 of B1; 5 of B2 – 8 total) and locations. The location issue of the B1 signs adjacent the Greenway is discussed above in Outstanding Issue #4.a. It is still felt that the B1 sign proposed in the northwest corner (Shellhorn Drive and Loudoun Station Drive) is more auto-oriented, and that it and the B2 signs provide redundant information; a reduction in number and strategically locating them could serve the same purpose while lessening the amount and emphasis of the signage, returning the focus to the pedestrian interaction with the built environment.

The applicant states that the B1 and B2 signs along Shellhorn Road, Loudoun Station Drive and Metro Center Drive, and the Greenway are meant to provide information to vehicles, and thus require the number and size of the signs as proposed.

RECOMMENDATION: Regarding the one (1) B1 and five (5) B2 signs shown on the page 7 Signage Map of the Sign Plan – revise and propose four (4) maximum Commercial Icon Signs, in any of the locations currently identified for these two sign types on the page 7 Signage Map. The specifics (maximum sign area, height, etc.) of either the B1 or B2 signs (as shown on pages 24 and 25 of the Sign Plan) may be proposed, at the applicant's discretion.

- 6. G1 General Site Leasing Signage
- Section 5-1204(D)(6)(c)
- G2 Commercial Site Leasing Signage
- Section 5-1204(D)(6)(c)
- G4 Office Leasing Signage
- Section 5-1204(D)(6)(c)

Regulation	Ordinance	Proposed	Difference	+/-%
Max. # of Signs	1	2	+1	100%
Max. Area Any One Sign	20 SF	15.5 SF	- 4.5 SF	- 22.5%
Total Aggregate Sign Area	None (ie, 20 SF)	31 SF	+ 11 SF	+ 55%
Max. Sign Height	6'	5'7"	- 5"	- 7%

G3 - Residential Leasing Signage

- Section 5-1204(D)(6)(a)

Regulation	Ordinance	Proposed	Difference	+/-%
Max. # of Signs	1	2	+ 1	100%
Max. Area Any One Sign	6 SF	15.5 SF	+ 9.5 SF	+ 158%
Total Aggregate Sign Area	12 SF	31 SF	+ 19 SF	+ 158%
Max. Sign Height	6'	5'7"	- 5"	- 7%

The applicant proposes 2 each of these four "temporary" leasing sign types (all would be of the same dimensions) — one each facing Shellhorn Drive and the Dulles Greenway — in the locations shown on page 9 of the Sign Plan; justification was that each of the four signs would provide different, and specific, leasing information (leasing agent name, phone numbers, emails and website addresses). Staff initially suggested, and maintains the position, that the general information portrayed — that leases are available — could be accomplished by noting just the 'general leasing information' proposed for sign G1, and that when a prospective tenant contacted that phone number/email/website, that the more specific (commercial, office, residential) information could then be provided to the inquirer.

Proposed Conditions 5.A. and 5.B. address the removal of these temporary signs.

The applicant maintains that all the proposed temporary signs are needed to list the different brokers for the various uses.

RECOMMENDATION: Revise and propose a maximum of two (2) G1 General Leasing Information signs, one each in the northern and southern locations as shown on page 9 of the Sign Plan.

Comparison with Approved Comprehensive Sign Packages/Plans

Attachment (6.) is a matrix table that compares this application first with the Ordinance, and then with similar and recently approved comprehensive sign plans/packages.

D. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1310 states "... (i)in considering a special exception application, the following factors shall be given reasonable consideration, to the extent applicable, in addition to any other standards imposed by this Ordinance ..."

- (A) Whether the proposed special exception is consistent with the Comprehensive Plan.
 - The proposed sign package is generally consistent with the Plan, providing innovative and attractive signage for a pedestrian scale transit-oriented development. However, issues remain with several sign types that maintain an auto-oriented scale and are directed toward roadways and not the pedestrians within the development.
- (B) Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.

Not applicable.

- (C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.

 Not applicable.
- (D) Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.
 - Sign lighting impacts are mitigated through Condition of Approval #2.
- (E) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.
 - The proposed sign plan will provide better overall signage than that permitted by the Ordinance, and will complement surrounding development.
- (F) Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.
 - Not applicable.
- (G) Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.
 - Not applicable.
- (H) Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.
 - Not applicable.
- (I) Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.
 - The proposed sign plan will improve visual recognition of the uses, and direction for the visitors, in the TOD.
- (J) Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.
 - Not applicable.
- (K) Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.
 - Not applicable.
- (L) Whether the proposed special exception will be served adequately by essential public facilities and services.
 - Not applicable.

- (M) The effect of the proposed special exception on groundwater supply.Not applicable.
- (N) Whether the proposed use will affect the structural capacity of the soils.Not applicable.
- (O) Whether the proposed use will negatively impact orderly and safe road development and transportation.

Not applicable.

- (P) Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.
 - The proposed sign plan will provide better overall signage and a more desirable destination, resulting in increased recognition and patronage of the TOD.
- (Q) Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.

Not applicable.

(R) Whether adequate on and off-site infrastructure is available.

Not applicable.

(S) Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.

Not applicable.

(T) Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.

Not applicable.

VI. ATTACHMENTS		2 = =1 =1 =1	PAGE#
1. Review Agency Comments			
a. Planning, Comprehensive Planning		(12-08-08, 07-15-09)	A-001
b. Building and Development, Zoning Administration	(11-24-09, 07-08-09,	02-26-09, 12-12-08)	A-019
2. Applicant Submission – Statement of Justification		sed dated 12-29-09)	A-033
3. Applicant Submission – Response to Referral Comments	(12-29-09,	11-13-09, 06-09-09)	A-035
4. Applicant Submission - Disclosure of Real Parties in Intere	st /Reaffirmation	(signed 11-04-08)	A-099
5. Applicant Submission - Reaffirmation of Affidavit signed	ed 11-04-08	(signed 01-12-10)	A-112
6. MATRIX - PREVIOUSLY APPROVED COMPREHEN	SIVE SIGN PLANS		
Applicant Submission – Loudoun Station Comprehensive Sign	Plan-Phase I	(12-29-09)	Attached